

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In re:)	
)	Case No. 11-31896-mdm
SCOTT BEHNKE,)	Chapter 13
)	
Debtor.)	

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Scott Behnke has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey
DeLadurantey Law Office, LLC
735 W. Wisconsin Avenue, Suite 720
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
 - A. X the Debtor;
 - B. the Chapter 13 Trustee (post-confirmation modifications only);
 - C. the holder of an unsecured claim (Name:) (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
 - A. X post-confirmation;
 - B. pre-confirmation (Select i. or ii.);
 - i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
 - ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following:

Temporary reduce plan payments.
4. The reason(s) for the modification is/are: The debtor is having significant back pain. He has had to reduce his hours at work, and he has increased medical expenses for diagnosis and treatment.
5. Select A. or B.
 - A. X The Chapter 13 Plan confirmed or last modified on July 30, 2012, is modified as follows:

2. Plan Payments

The debtor shall pay \$2,000.00 per month for the months of February, March, April, and May 2014. Beginning in June 2014 and for the duration of the plan, the debtor shall pay \$4,050.00.

7. Unsecured Claims

(A) Creditors with allowed general unsecured claims not separately classified shall receive not less than 100% of the amount owed.

(B) The debtor's student loans shall be paid directly, outside the plan.

- B. The unconfirmed Chapter 13 Plan dated is modified as follows:

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

I, Nathan E. DeLadurantey, attorney for the debtor, Scott Behnke, certify that I have reviewed the modification proposed above with the debtor, and that the debtor has authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

Counsel for the debtor

February 18, 2014

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: February 18, 2014.

DeLadurantey Law Office, LLC
Attorneys for Debtor

/s/

By: Nathan E. DeLadurantey
State Bar No. 1063937

Drafted by:
Daniel T. Beasley
SBN 1092029
735 W Wisconsin Ave., Suite 720
Milwaukee, WI 53233
(414) 377-0515; Fax (414) 755-0860
dan@de-la-law.com

A copy of the foregoing filed electronically on February 18, 2014 with:

Clerk, U.S. Bankruptcy Court
517 East Wisconsin Avenue
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically
if the party named accepts electronic service on February 18, 2014:

Office of the U.S. Trustee
517 East Wisconsin Avenue, #430
Milwaukee, WI 53202

Trustee Thomas J. King
P.O. Box 3170
Oshkosh, WI 54903-3170

The attached creditor matrix

/s/Caitlin York, Paralegal
(Electronically file by)

Label Matrix for local noticing
0757-2
Case 11-31896-mdm
Eastern District of Wisconsin
Milwaukee
Tue Feb 18 14:06:32 CST 2014

(p)AMERICOLLECT INC
PO BOX 2080
MANITOWOC WI 54221-2080

Bank Of America
Attn: Bankruptcy NC4-105-03-14
Po Box 26012
Greensboro, NC 27420-6012

Chase
Po Box 15298
Wilmington, DE 19850-5298

Discover Bank
DB Servicing Corporation
PO Box 3025
New Albany, OH 43054-3025

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Harris N.A.
3800 Golf Rd Ste. 300
Rolling Meadows, IL 60008-4037

Office of the U. S. Trustee
517 East Wisconsin Ave.
Room 430
Milwaukee, WI 53202-4510

Village of Adell
Rohnda Klatt, Treasurer
508 Seifert Street
Adell, WI 53001-1185

Thomas J. King
P.O. Box 3170
Oshkosh, WI 54903-3170

CANDICA L.L.C.
C O WEINSTEIN AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

BMO HARRIS BANK N.A.
3800 WEST GOLF ROAD, SUITE 300
ROLLING MEADOWS, IL 60008-4037

Candica, L.L.C.
c/o Weinstein & Riley, P.S.
2001 Western Ave., Ste. 400
Seattle, WA 98121-3132

Chase Bank USA, N.A.
PO Box 15145
Wilmington, DE 19850-5145

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

Fed Adj Co
7929 N. Pt. Wash.
Milwaukee, WI 53217-3135

IRS - Centralized Insolvency Operation
PO Box 7346
Philadelphia, PA 19101-7346

Omni Cr Svcs
333 Bishops Way 100
Brookfield, WI 53005-6223

Nathan E. DeLadurantey
DeLadurantey Law Office
735 W. Wisconsin Avenue
Suite 720
Milwaukee, WI 53233-2413

Timothy S. Knurr
6800 Washington Avenue
PO Box 085600
Racine, WI 53408-5600

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

BMO Harris Bank N.A.
c/o Attorney Matthew J. Krawczyk
16650 W. Bluemound Rd., Suite 300
Brookfield, WI 53005-5970

Cbcs
Po Box 164089
Columbus, OH 43216-4089

Diagnostic Serv of Wash Cnty C/O Americollec
PO Box 1566
Manitowoc WI 54221-1566

ECMC
P. O. Box 75906
St. Paul, MN 55175-0906

Glhgc
2401 International Ln
Madison, WI 53704-3121

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

State Collection Servi
Attn: Bankruptcy
Po Box 6250
Madison, WI 53716-0250

Scott L Behnke
N172 Sauk Trail Rd
Cedar Grove, WI 53013-1428